

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

No. 17 BK 3283-LTS

as representative of

THE COMMONWEALTH OF PUERTO RICO, THE  
EMPLOYEES RETIREMENT SYSTEM OF THE  
GOVERNMENT OF THE COMMONWEALTH OF  
PUERTO RICO, AND THE PUERTO RICO PUBLIC  
BUILDINGS AUTHORITY,

(Jointly Administered)

Debtors.<sup>1</sup>  
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**STATEMENT OF THE MEDIATION TEAM CONCERNING  
PLAN OF ADJUSTMENT CONFIRMATION HEARING**

The Mediation Team appointed in the Title III Cases provides the following statement in response to the Court's remarks during the October 25, 2021 status conference (the "Status Conference") and *Order Regarding Rulings Made on the Record at the October 25, 2021, Urgent Status Conference Concerning the Proposed Plan of Adjustment* [ECF No. 18719] (the "Order").<sup>2</sup>

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<sup>1</sup> The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19 BK 5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations). The Title III cases commenced by the Commonwealth, COFINA, HTA, ERS, PREPA, and PBA are referred to herein as the "Title III Cases."

<sup>2</sup> All ECF numbers refer to filings in the Commonwealth's Title III Case, No. 17 BK 3283-LTS.

The Order directed that Judge Barbara J. Houser, the Mediation Team Leader, file a certification by November 2, 2021, at 5:00 p.m. (AST) confirming whether, in her judgment, (a) good faith best efforts were made by parties in interest (in seeking to resolve open issues that threatened to derail the Confirmation Hearing<sup>3</sup>), and (b) she reasonably believed that the currently scheduled Confirmation Hearing could be expected to move forward and, if not, whether rescheduling the Confirmation Hearing would be likely to facilitate progress.

1. Since the Status Conference, the Mediation Team has been in communication with representatives of the Government of Puerto Rico and the Oversight Board.

2. On Tuesday, October 26, 2021, the Governor of Puerto Rico signed Act 53-2021, entitled the “Law to End the Bankruptcy of Puerto Rico,” after it was adopted by both houses of the Puerto Rico legislature.

3. The Oversight Board announced earlier today that (i) it has had the opportunity to carefully review Act 53-2021, which reflects certain changes to former House Bill 1003, (ii) Act 53-2021 is acceptable to the Oversight Board, and (iii) the Oversight Board is willing to move forward with the confirmation process with appropriate adjustments to the proposed confirmation order.

4. The Mediation Team stands ready to assist the Oversight Board, representatives of the Government of Puerto Rico, and other mediation parties in resolving any disputes concerning the Plan of Adjustment and proposed confirmation order.

5. By this Statement, which is filed in advance of the November 2, 2021 deadline to provide the Court with maximum notice, the Mediation Team confirms that (a) all parties in interest with whom members of the Mediation Team have communicated since the Status

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<sup>3</sup> Capitalized terms used but not defined in this Statement have the meanings ascribed to them in the Order.

Conference have engaged in good faith best efforts, and (b) the Mediation Team reasonably believes that the Confirmation Hearing can be expected to move forward as currently scheduled.<sup>4</sup>

Dated: October 28, 2021

Respectfully submitted,

/s/ Barbara J. Houser

Honorable Barbara J. Houser  
United States Bankruptcy Court  
for the Northern District of Texas  
Mediation Team Leader

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<sup>4</sup> Of course, the Mediation Team expresses no view on whether the Plan of Adjustment satisfies applicable requirements for confirmation.